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OF ILLINOIS

RELATING TO

# Commission Form of Municipal Government



IN FORCE JULY 1, 1923

(Printed by authority of the State of Illinois)

Compiled by

LOUIS L. EMMERSON

Secretary of State



LAWS OF ILLINOIS

RELATING TO

# Commission Form of Municipal Government



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**LOUIS L. EMMERSON**  
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## COMMISSION FORM OF MUNICIPAL GOVERNMENT.

AN ACT *to amend an Act entitled "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereto by adding thereto Article XIII. [As amended by Acts approved April 17, 1911, May 12, 1911, and all Acts amendatory thereto.*

SECTION 1. *Be it enacted by the People of the State of Illinois represented in the General Assembly:* That the Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereof, be and the same hereby is amended by adding thereto an article to be known as Article XIII, in the words and figures following:

### ARTICLE XIII.

#### ORGANIZATION.

SECTION 1. WHAT CITIES VESTED WITH RIGHT.] That all cities and villages in the State of Illinois not exceeding two hundred thousand (200,000) population which are now or may hereafter become incorporated under an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10 1872, and in force July 1, 1872, and all Acts amendatory thereof shall, in addition to all rights, powers and authority in them vested, under and by virtue of said Acts, have and they are hereby vested with the further and additional rights, powers and authority contained in this

Act, which for conveniences [convenience] is hereinafter designated "The Commission Form of Municipal Government," by proceeding as hereinafter provided.

§ 2. PETITION—SUBMISSION OF PROPOSITION.] Whenever electors of any city or village equal in number to one-tenth of the votes cast for all candidates for mayor or president of the board of trustees at the last preceding city or village election of any such city or village voting for such officer, shall petition the judge of the County Court of the county in which said city or village, or the greater part thereof, is located to submit to a vote of the electors of such city or village the proposition as to whether such city or village shall adopt and become entitled to the provisions of this Act, it shall be the duty of such judge of the County Court to submit such proposition accordingly to a special city or village election to be called by such judge within sixty days: *Provided*, if a general city or village election is held within such sixty days, such proposition shall be submitted thereat. An order shall be entered and recorded in the County Court of such county submitting such proposition as aforesaid: *Provided, further*, that if the question of the adoption of this Act shall be submitted to the voters of any municipality, and it shall not be adopted by such municipality, then and in that event the question of the adoption of this Act shall not be again submitted in such municipality for at least two years.

§ 3. PETITION—FORM OF.] Said petition provided for in section 2 shall be substantially in the following form:

To the Honorable (name of judge), Judge

of the County Court of the County of  
(name of county):

We, the undersigned qualified electors  
of the city or village of (name of city or  
village), respectfully petition your honor  
to submit to a vote of the electors of said  
city or village, at an election, the follow-  
following proposition:

Shall the city (or village) of.....  
.....adopt the commission form of  
municipal government?

Name	Address, with Street and Number
.....	.....
.....	.....

State of Illinois,      }  
County of.....      } ss.

I,....., do hereby certify and make  
oath (or affirm) that I am upwards of the  
age of twenty-one years, that I reside at  
number.....street, in the city (or  
village) of..... of the county of  
....., and State of Illinois, and that  
the signatures of this sheet were signed in  
my presence and are genuine; and that to  
the best of my knowledge and belief the  
persons so signing were at the time of  
signing said petition qualified voters of  
said city (or village), and that their respec-  
tive residences are correctly stated as  
above set forth.

.....  
Subscribed and sworn to before me this  
.....day of.....A. D. 19...  
(Seal, if officer has one.)

.....  
(Official Charter [Character].)



Such petitions shall consist of sheets of uniform size, and the heading of each sheet shall be the same.

Such petition shall be signed by qualified electors of such city or village in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and if a resident of a city or village having a population of over 10,000 by the last preceding Federal or State census, the street and number of such residence shall be given).

At the bottom of each sheet of such petition shall be added a statement, signed by an adult resident of the city or village, stating his residence, (and if a resident of a city or village having a population as aforesaid, also stating the street and number of such residence), certifying that the signatures on that sheet of said petition were signed in his presence and are genuine, and that to the best of his knowledge and belief the persons so signing were, at the time of signing, qualified voters of said city or village. Such statement shall be sworn to before some officer of the county in which such city or village is located, authorized to administer oaths therein.

Such sheets, before being filed, shall be neatly fastened together by placing the sheets in a pile and fastening them together at the upper edge in a secure and suitable manner, and the sheets shall then be numbered consecutively.

§ 4. NOTICE OF ELECTION AT WHICH PROPOSITION TO BE SUBMITTED—ADOPTION—PROCLAMATION.] The judge of such County Court shall give at least ten days' notice of the election at which such proposition is to be submitted by publishing such notice in one or more daily news-



papers published within such city or village for at least five times, the first publication to be at least ten days before the day of election, and if no daily newspaper is published in such city or village, then by posting at least five copies of such notice in each ward of such city or in such village at least ten days before such election. Such election shall be held under the election law in force in such city or village, except as herein otherwise provided.

The proposition so to be voted upon shall appear in plain, prominent type, on a separate and distinct ballot, and the names of no candidates for any office or offices, nor any other proposition shall appear thereon, and such ballot and the manner of voting the same shall comply as near as may be with section 16 of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891, and all amendments thereto."

If a majority of the votes cast upon such proposition shall be in favor of and for the adoption of such proposition, the provisions of this Act shall thereby be adopted by such city or village, and the mayor or president of the board of trustees shall thereupon immediately issue a proclamation declaring this Act in force in said city or village, and thenceforth this Act shall be in full force and effect therein.

§ 5. CANVASS OF VOTES CERTIFIED—RECORD.] A certified copy of the canvass of the votes of the election on such

proposition, made by the proper officers, shall be transmitted to the city or village clerk of such city or village, and to the clerk of the County Court, and by each transcribed upon the records of their respective offices in full.

§ 6. CERTIFICATE OF ADOPTION FILED.] Immediately after such proposition is adopted, the mayor or president of the board of trustees shall transmit to the Secretary of State, to the clerk of the County Court and county recorder each a certificate, stating that such proposition was adopted, who shall duly file the same in their respective offices and transcribe the same upon the records thereof.

§ 7. FAILURE OF OFFICERS TO PERFORM DUTIES.] The failure of the mayor or president of the board of trustees, or any of said officials, to perform the duties and acts imposed upon them by sections 4, 5 and 6, shall not invalidate nor prevent the adoption of this Act.

§ 8. JUDICIAL NOTICE OF ADOPTION.] All courts in this State shall take judicial notice of the adoption of this Act by such cities or villages as adopt the same.

§ 9. ELECTION OF OFFICERS.] (a) On the third Tuesday in April, A. D. 1911, next after the adoption of such proposition, and quadrennially thereafter, there shall be held a general municipal election, at which there shall be elected a mayor and four commissioners from the city or village, without regard to wards.

All divisions into wards of such municipalities as adopt this Act shall be discontinued and said officers shall be nominated and elected at large: *Provided*, that in cities which include wholly within their corporate limits a town or towns, such elections shall be held on the

first Tuesday in April: *Provided, however,* that the term of office of all regularly elected municipal officers except judicial officers and officers of courts holding office at the time this Act is adopted by such municipality shall be and the same are hereby made to expire with the expiration of the term of office of the then mayor or president of the board of trustees of said municipality: *Provided, further, however,* that if on the same day, this Act is adopted by any municipality, there is elected a mayor or president of the board of trustees of such municipality, the term of office of all elective officers of such municipality elected on such day, or elected thereafter except judicial officers and officers of courts shall be and the same are hereby made to expire, with the expiration of the term of office of such mayor or president of the board of trustees elected on said day.

(b) If this Act is adopted by any such municipality, on or after the said third Tuesday in April, A. D. 1911, or in cities which include wholly within their corporate limits a town or towns on or after the first Tuesday in April, A. D. 1911, then the first election for a mayor and four commissioners shall be held on the day of the first biennial general election provided for in section 2, Article 4, of an Act entitled, "An Act to provide for the incorporation of cities and villages," approved April 10, 1872, in force July 1, 1872, and all Acts amendatory thereof, and the mayor and four commissioners elected thereat shall hold their respective offices until the next succeeding quadrennial general election for such officers, thereafter. [Amended by Act approved May 12, 1911. L. 1911, p. 137.]



§ 10. TERM OF OFFICERS.] The mayor and commissioners elected under section 9 of this Act shall be known as the council and shall hold their respective offices until the next succeeding quadrennial general election for such officers, respectively, or until their successors are elected and qualified, as provided in this Act. [Amended by Act approved May 12, 1911. L. 1911, p. 138.

§ 11. VACANCIES FILLED BY APPOINTMENT.] The mayor and commissioners shall hold their respective offices for the term of four years or until their successors are elected and qualified, except as otherwise provided in this Act. If any vacancy occurs in any such offices, the remaining members of said council shall, within thirty days after such vacancy occurs, appoint a person to fill such vacancy during the balance of the unexpired term. [Amended by Act approved May 12, 1911. L. 1911, p. 138.

§ 12. PRIMARY ELECTIONS.] All candidates to be voted for at all general municipal elections at which a mayor and four commissioners are to be elected under the provisions of this Act shall be nominated by a primary election from the city or village at large, and no other names shall be placed upon the general ballot at the general municipal election except those selected in the manner hereinafter prescribed. The primary election for such nominations shall be held on the last Tuesday in February immediately preceding the general municipal election, in all cities or villages in which the general municipal election under this Act is held on the first Tuesday in April, and on the second Tuesday in March immediately preceding the general mu-



nicipal election in all cities or villages in which the general municipal election under this Act is held on the third Tuesday in April. [Amended by Act approved May 12, 1911. L. 1911, p. 138.

§ 13. JUDGES AND CLERKS OF PRIMARY—PLACE—HOURS FOR POLLS TO BE OPEN.] The judges and clerks of election appointed in accordance with the election law in force in such city or village shall be the judges and clerks of the primary election, and it shall be held at the same place, and the polls shall be opened and closed at the same hours, and such election shall be conducted the same as a general municipal election is conducted under the election law in force in said city or village, except as herein otherwise provided.

All election laws in force in said city or village shall apply to and govern a primary election held under this Act, except as herein otherwise provided.

§ 14. STATEMENT OF CANDIDACY—FORM—PETITION—FORM—FILING OF SAME—PUBLICATION OF NAMES—BALLOTS—PRINTING—FORM.] Any person desiring to become a candidate for mayor or commissioner shall, not less than fifteen days nor more than thirty days prior to such primary election, file with the city or village clerk, or, in those cities having a board of election commissioners, with the clerk of such board, a statement of such candidacy in substantially the following form:

State of Illinois }  
County of..... } ss.

I, ..... being first duly sworn, say that I reside at (here give number and street) ..... street, in the city (or village) of (here name of city or village)

....., county or (here name county)  
.....; State of Illinois, that I am a  
qualified voter therein, that I am a can-  
didate for nomination to the office of  
(mayor or commissioner), to be voted  
upon at the primary election to be held  
on the .....Tuesday of .....  
....., A. D. 19....., that I am legally  
qualified to hold such office, and I hereby  
request that my name be printed upon  
the official primary ballot for nomination  
by such primary election for such office.

(Signed).....

Subscribed and sworn to (or affirmed)  
before me by ..... on this .....  
..... day of ....., A. D. 19.....

(Signed).....

(Official character.)

(Seal, if the officer has one.)

And shall, at the same time, file there-  
with the petition of at least twenty-five  
qualified voters requesting such can-  
didacy.

Such petition shall substantially be in  
the following form:

We, the undersigned, duly qualified  
electors of the city (or village) of (city)  
or village)..... and residing at the  
places set opposite our respective names  
hereto, do hereby petition that the name  
of (name of candidate) .....be  
placed upon the ballot as candidate for  
nomination for the office of (here name  
office) ....., at the primary election  
to be held in such city or village on the  
..... Tuesday of .....A. D.  
19..... We further state that we  
know him to be a qualified elector of  
said city or village and legally qualified  
to hold such office.

Names of Qualified Electors	Number	Street
.....	.....	.....
.....	.....	.....

I, ..... do hereby certify and make oath (or affirm) that I am upwards of the age of twenty-one years, that I reside at number (give number and street, if any) ..... street, in the city (or village) of ..... of the county of ..... and State of Illinois, that the signatures on this sheet were signed in my presence, and are genuine, and that to the best of my knowledge and belief the persons so signing were, at the time of signing said petitions, qualified electors, and that their respective residences are correctly stated as above set forth.

(Signed) .....

Subscribed and sworn to (or affirmed) before me this .....day of .....  
.....A. D. 19....

.....  
(Official Character.)

(Seal, if officer has one.)

Such petitions shall consist of sheets of uniform size, and the heading of each sheet shall be the same.

Such petitions shall be signed by qualified electors, in their own proper persons only, and opposite the signature of each signer, his residence address shall be written (and if a resident of a city or village having a population of over 10,000 by the last preceding Federal or State census the street and number of such residence shall be given). At the bottom of each sheet shall be added a statement,

signed by an adult resident of the city or village, stating his residence address (and if a resident of a city or village having a population of over 10,000 by the then last preceding Federal or State census the street and number of such residence shall be given), certifying on oath or affirmation that the signatures on that sheet of said petition were signed in his presence and are genuine, and that to the best of his knowledge and belief the persons so signing were, at the time of signing said petition, qualified electors of said city or village. Said statement and also the statement of the candidate hereinbefore referred to shall be sworn to or affirmed before some officer of the county in which the person making the statement resides, authorized to administer oaths therein.

Such sheets, before being filed, shall be neatly fastened together in book form, by placing the sheets in a pile, and fastening them together at the upper edge, in a secure and suitable manner, and the sheets shall then be numbered consecutively. The sheets shall not be fastened by pasting them together end to end, so as to form a continuous strip or roll. Said petition, when filed, shall not be withdrawn or added to, and no signature shall be revoked except by revocation, filed in writing with the clerk or other proper officer with whom the petition is required to be filed, and before the filing of such petition.

Immediately upon the expiration of the time of filing the statements and petitions for candidates, the said city or village clerk or board of election commissioners, as the case may be, shall cause to be published, for three consecutive days in all the daily papers published in said city,



in proper form, the names of the persons as they are to appear upon the primary ballots, and if there be no daily newspapers, then in two issues of any other newspapers published in said city or village, and if there be no newspaper published in said city or village, then in the nearest newspaper published in the county in which such city or village is located, or if there be no newspaper published in said county, then in the nearest newspaper published in the State, and the clerk shall thereupon cause the primary ballots to be printed in the same manner and in the same number and within the same time as ballots are printed under the election law in force in such city or village for general municipal elections, except as herein otherwise provided. Said ballots shall be authenticated with the *fac-simile* of the clerk's signature on the back thereof. Upon said ballots the names of the candidates for mayor, arranged alphabetically, shall first be placed, with a square at the left of each name, and and immediately above the names and immediately following the name of the office, the words, "Vote for one." Following these names likewise arranged in alphabetical order, shall appear the names of the candidates for commissioners with a square at the left of each name and immediately above the names of such candidates, and immediately following the name of the office, shall appear the words "Vote for four." The ballots shall be printed upon plain, substantial, white paper, and shall comply with the election laws in force in such city or village, except as herein otherwise provided, and shall be headed:

CANDIDATES FOR NOMINATION  
FOR MAYOR AND COMMISSIONERS  
OF THE CITY (OR VILLAGE) OF  
.....AT THE PRIMARY  
ELECTION.

But shall have no party, platform or principle designated, or appellation or mark whatever, nor shall any circle be printed at the head of the ballot. The ballot shall be in substantially the following form:

OFFICIAL PRIMARY BALLOT.

CANDIDATES FOR NOMINATION  
FOR MAYOR AND COMMISSIONERS  
OF THE CITY (OR VILLAGE) OF  
.....AT THE PRIMARY  
ELECTION.

FOR MAYOR.

(Vote for one.)

- ☐ JOHN JONES
- ☐ JAMES SMITH.
- ☐ HENRY WHITE.
- ☐ RALPH WILSON.

FOR COMMISSIONERS.

(Vote for four.)

- ☐ WILLIAM BURKE.
- ☐ GEORGE MILLER.
- ☐ THOMAS WILLIAMS.
- ☐ EDWARD STUART.
- ☐ ROBERT BUCK.
- ☐ HARRY BROWN.
- ☐ JOSEPH TROUT.
- ☐ ARTHUR ROBBINS.

Such ballot shall be authenticated and attested on the back thereof in the same manner and form as provided by the election law in force in said city or village.

The law governing such primary election shall be the election law in force

in such city or village for the general or special municipal elections, except as herein otherwise provided.

§ 15. QUALIFICATIONS OF VOTERS AT PRIMARY REGISTRATION.] (a) The persons who are qualified to vote at a general municipal election shall be qualified to vote at such primary election, and in all cases where registration is required as a condition precedent to voting at regular elections, only registered voters shall be entitled to vote at such primary.

(b) For such primary election there shall be a general registration, intermediate registration or revision of the registry, as the case may be, in accordance with the election law in force in such city or village, the same as if such primary election was a general municipal election, and for the purposes and requirements of registration, such primary election shall be considered a general municipal election.

(c) In all special elections and special primary elections held under this Act, if the election law in force in such city or village, in regard to special elections, shall require general registration, intermediate registration, or revision of the registry, as the case may be, for such special elections, the same shall thereupon be had, and if the election law in force in such city or village requires registration as a condition precedent to voting at such special elections, and general registration, intermediate registration or revision of registry, as above provided, is had for such special elections, only registered voters shall be allowed to vote: *Provided, however,* that if such election law requires registration as a condition precedent to voting at such special elections, and no general registration, intermediate registration or



revision of registry is had for such special election, so as to give all legal voters who are not registered an opportunity to register, then such legal voters who are not registered may vote upon filing the affidavits as provided in subdivision *d* of this section.

(d) If the election law in force in such city or village in regard to special elections does not require general registration, intermediate registration or revision of the registry, the same shall not be required: *Provided, however*, the books of registry of the last general registration, intermediate registration or revision of registry, as the case may be, shall be used at such special elections, and no vote shall be received at any such special election, if the name of the person offering to vote shall not be on said books of registry, unless the person offering to vote shall furnish to the judges of election his affidavit in writing, stating therein his residence, with street and number (if any), age, nativity, length of residence in the State, county and district, and that he is an inhabitant of the district and entitled to vote therein at such special election, and proves by the written oath of a householder and registered voter of the district in which he offers to vote, that he knows such person to be an inhabitant of said district (and if a city or village having street and numbers) giving the street and number of such person within said district, and that he is entitled to vote at said election, the intent of this subdivision *d* being that no legal voter, where registration is not required as above, shall be deprived of his vote by reason of his name not being on the books of registry.



§ 16. WHO SHALL BE CANDIDATES.] The two candidates receiving the highest number of votes for mayor shall be the candidates and the only candidates whose names shall be placed upon the ballot for mayor at the next succeeding general or special municipal election, and the eight candidates receiving the highest number of votes for commissioners, or all such candidates, if less than eight, shall be the candidates and the only candidates whose names shall be placed upon the ballot for commissioners at such municipal election: *Provided*, that nothing contained in this Act shall be construed as preventing an elector, either at the primary election or general or special municipal election, held under this Act, from writing in the names of the candidate or candidates of his choice in a blank space on said ticket, and making a cross opposite thereto in accordance with the election law in force in said city or village.

§ 17 WHERE MORE THAN NUMBER HAVE THE HIGHEST AND EQUAL NUMBER OF VOTES.] If, upon the canvass of the returns of said primary election by the canvassing board, it shall appear that more than the number of persons to be nominated for the office of mayor or of commissioners have the highest and an equal number of votes for the nomination for the same office, the said canvassing board shall decide by lot which of such persons shall be nominated. In such case such canvassing board shall issue notice in writing to such person or persons of such vote, stating therein the place, the day (which shall not be more than five (5) days thereafter), and the hour when such nomination shall be so determined.

§ 18. Any candidate whose name ap-

pears upon the primary ballot at any primary election held under this Act may contest the election of the candidate or candidates nominated upon the face of the returns, which contest and the mode of procedure therein shall be as follows:

(a) Authority and jurisdiction are hereby vested in the County Court or in the judge thereof in vacation, or in the Circuit Court or in the judge or judges thereof in vacation, to hear and determine primary contests. Where a petition to contest a primary shall be filed in the office of the clerk of the court said petition shall forthwith be presented to the judge thereof, who shall note thereon the day presented, and shall also note thereon the day when he will hear the same, which shall not be more than five (5) days thereafter, and shall order issuance of summons to each defendant named in the petition.

(b) Summons shall forthwith issue to each defendant named in the petition and shall be served in the same manner as is provided in cases in chancery. The case may be heard and determined by the County or Circuit Court in term time, or by judge or judges thereof in vacation, at any time not less than three days after service of process, and shall have preference in the order of hearing to all other cases. The petitioner shall give security for costs.

(c) If, in the opinion of the court, or the judge thereof, in which the petition is filed, the grounds for contest alleged are sufficient in law, the court shall proceed in a summary manner and may hear evidence, examine the returns, recount the ballots, and make such orders and

enter such judgments as justice may require. The court shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper court, the result of such election in the city or village for which the contest is made. The judgment or decree of the trial court shall be final. A certified copy of such decree shall forthwith be made by the clerk of the court and transmitted to the city or village clerk or clerk of the board of election commissioners, as the case may be, at least three days before election, who shall in such case be governed accordingly.

(d) If the candidate nominated at such primary should die or withdraw before the general municipal election, the vacancy caused thereby shall be filled by the placing of the name of the candidate, if for the office of mayor, receiving the third highest number of votes, and if for the office of commissioner, the candidate receiving the ninth highest number of votes at such primary, and so on in case of the death or withdrawal of more than one candidate.

(e) All general and special municipal elections in said city or village shall be held, conducted and contested under the election law in force in such city or village, except that the contest of the election of mayor and commissioners shall be had, prosecuted and conducted in the County or Circuit Court. The council hereunder shall not be the judge of the election and qualification of its members." [Amended by Act approved June 11, 1917.]

§ 19. BALLOTS — FORM—SAMPLE BALLOTS.] Upon the ballots for the general or special municipal election the names of the candidates for mayor nominated at such primary election, arranged alpha-



betically, shall first be placed with a square to the left of each name, and immediately above the names and following the name of the office, the words, "Vote for one" shall be placed.

Following such names, likewise arranged in alphabetical order, shall appear the names of the candidates for commissioners, nominated at such primary election, with a square to the left of each name, and above the name of such candidates and immediately following the name of the office, shall appear the words, "Vote for four."

The said ballots shall be printed upon plain, substantial, white paper, and shall comply with the election laws in force in such city or village, except as herein otherwise provided, and shall be headed: CANDIDATES FOR THE ELECTION FOR MAYOR AND COMMISSIONERS OF THE CITY (OR VILLAGE) OF .....AT THE GENERAL (OR SPECIAL) MUNICIPAL ELECTION, but such ballots shall have no party, platform or principle, designation, or appellation or marks whatever, nor shall any circle be printed thereon at the head of the ballot. The ballots shall be in substantially the following form:

#### OFFICIAL BALLOT.

CANDIDATES FOR THE ELECTION  
FOR MAYOR AND COMMISSIONERS  
OF THE CITY (OR VILLAGE) OR  
.....AT THE GENERAL (OR  
SPECIAL) MUNICIPAL ELECTION.

FOR MAYOR.

(Vote for one.)

- ☐ JOHN JONES.
- ☐ JAMES SMITH.



## FOR COMMISSIONERS.

(Vote for four.)

- ☐ WILLIAM BURKE.
- ☐ GEORGE MILLER.
- ☐ THOMAS WILLIAMS.
- ☐ EDWARD STUART.
- ☐ ROBERT BUCK.
- ☐ HARRY BROWN.
- ☐ JOSEPH TROUT.
- ☐ ARTHUR ROBBINS.

Such ballots shall be authenticated and attested on the back thereof in the same manner and form as provided by the election law in force in such city or village.

Sample ballots shall also be printed and supplied in accordance with the election law in force in such city or village.

### PENALTIES FOR ELECTION FRAUDS.

#### § 20. PENALTIES FOR ELECTION FRAUDS.]

Any person who shall agree to perform any service in the interest of any candidate for any nomination or election for any officer provided in this Act, in consideration of any money or other valuable thing, or for the "treats," or for any appointment to any office or employment under such city or village, for such service performed in the interest of any such candidate, or any candidate who shall make a promise of money or other valuable thing, or to appoint any person to an office in the event of the nomination or election of such candidate in consideration of such person performing any service in the interest of said candidate, upon conviction thereof, shall be punished by a fine not exceeding three hundred dollars (\$300) or be imprisoned in the county jail not exceeding thirty (30) days, or both, in the discretion of the court.

§ 21. PENALTIES FOR BRIBERY.] Any person offering to give a bribe, either in money or other consideration, or in the form of treating, or by agreement to appoint to any office or employment under such city or village to any elector for the purpose of influencing his vote at any election provided for in this Act, or any elector entitled to vote at any such election requesting, receiving or accepting such bribe, money, other consideration or treats, or agreeing to vote or support any candidate in consideration that he be appointed to an office or employment under such city, shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined a sum not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500) or be imprisoned in the county jail not less than ten nor more than ninety days, or both, in the discretion of the court.

§ 22. COUNCIL — QUORUM — VOTING— MAYOR TO PRESIDE.] Every such city or village shall be governed by a council, consisting of the mayor and four commissioners, as provided in this Act, each of whom shall have the right to vote on all questions coming before the council. Three members of the council shall constitute a quorum, and the affirmative vote of three members shall be necessary to adopt any motion, resolution or ordinance, or pass any measure, unless a greater number is provided for by this Act.

Upon every vote the “yeas” and “nays” shall be called and recorded, and every motion, resolution or ordinance shall be reduced to writing and read before a vote is taken thereon, and all the commissioners, including the mayor, present at any meeting shall vote thereon.

The mayor shall preside at all meetings of the council. He shall have no power to veto any measure, motion, resolution or ordinance, but every resolution, ordinance, measure or warrant adopted, passed or ordered by the council must be signed by the mayor, or by two commissioners, and all ordinances and resolutions recorded, before the same shall be in full force. [Amended by Act approved June 25, 1917.]

§ 23. COUNCIL, POWERS AND DUTIES—FIVE DEPARTMENTS.] The council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had, possessed and exercised by the mayor, city council, president and board of trustees of villages, board of library trustees, city clerk, city attorney, city engineer, city treasurer, city comptroller and all other executive, legislative and administrative officers in cities or villages now or hereinafter organized and incorporated under the general incorporation law of the State of Illinois for the incorporation of cities and villages, and the council shall have and possess, and the council and its members shall exercise all executive and legislative powers and duties now had, possessed and exercised by the Board of Local Improvements, provided for, in and by an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, and all Acts amendatory thereto and in all such cities and villages that shall hereafter adopt this Act, or that shall have heretofore adopted this Act, in enforcing said Act, concerning local improvements, herein set out, the person who spreads assessments shall be selected in each case by a majority vote of said



council and its members, and all local improvements, contracts and bonds or warrants issued in pursuance thereof, or either of them, may and shall be signed by the mayor or by any three members of the council, *provided, however*, that nothing contained in this Act shall in any way extend or pertain to or affect any public school in operation in any municipality which may adopt this Act, anything in this present Act contained to the contrary notwithstanding.

The executive and administrative powers, authority and duties in such cities and villages shall be distributed into and among five departments, as follows:

1. Department of public affairs.
2. Department of accounts and finances.
3. Department of public health and safety.
4. Department of streets and public improvements.
5. Department of public property.

The council shall, by ordinance, determine the powers and duties of, and to be performed by, each department and assign them to the appropriate departments; shall prescribe the powers and duties of officers and employees and may assign employees to one or more of the departments; may require an officer or employee to perform duties in two or more departments, and may make such other rules and regulations as may be necessary or proper for the efficient and economical conduct of the business of the city or village. [Amended by Act approved June 25, 1917.]

§ 24. HEADS OF DEPARTMENTS AND CITY OFFICERS.] The mayor shall be commissioner of public affairs and as such be superintendent of that department,

and the council shall, at the first regular meeting after election of its members designate by a majority vote, one commissioner to be commissioner of accounts and finances, who shall be superintendent of that department; one to be commissioner of public health and safety, who shall be superintendent of that department; one to be commissioner of streets and public improvements, who shall be superintendent of that department, and who *ex officio* shall be commissioner of public works; and one to be commissioner of public property, and as such to be superintendent of that department; but such designation may be changed by the council whenever it appears that the public service would be benefited thereby. The council by a majority vote may, in their discretion, at such first meeting or as soon as practicable thereafter, elect, by a majority vote, the following officers: City clerk, corporation counsel, city attorney, assistant city attorney, city treasurer, library trustees, and the necessary officers to fill the offices provided for by the Local Improvement Act, known as "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897: *Provided*, that the commissioner of streets and public improvements under this Act shall be *ex officio* the commissioner of public works and a member of the board of local improvements as and when provided for by said Act concerning local improvements: *Provided, further*, that if by ordinance it is provided that [the] superintendent of streets shall be appointed by the commissioner of streets and public improvements, then the council shall have no power and authority to appoint the

superintendent of streets: *And, provided, further,* that where by law it is provided that the superintendent of streets shall be a member of the board of local improvements, the fact that he is appointed by the commissioner of streets and public improvements shall not bar him from membership thereon. [Amended by Act approved May 12, 1911. L. 1911.]

§ 24a. LIBRARIES — ESTABLISHMENT—MAINTENANCE.] In any city, town or village which has adopted, or may hereafter adopt, the form of government prescribed in this article, any public library, or libraries for such city, town or village, shall be established, maintained and conducted in all respects in accordance with the provisions of an Act entitled “An Act to authorize cities, incorporated towns and townships to establish and maintain free public libraries and reading rooms,” approved and in force March 7, 1872, as the same has been or may be subsequently amended. [Added by Act filed June 29, 1917.]

§ 25. POWERS OF COUNCIL TO CREATE AND DISCONTINUE OTHER OFFICES.] The council shall have the power, by ordinance, from time to time, to create, fill and discontinue offices and employment other than herein prescribed, according to their judgment of the needs of the city or village, and may, by majority vote of all the members, remove any such officer or employee appointed by them, except as otherwise provided for in this Act, and may, by resolution or otherwise, prescribe, limit or change the compensation of all appointive officers or employees.

§ 26. ADOPTION OF ACTS AS TO CIVIL SERVICE AND BOARD OF FIRE AND POLICE COMMISSIONERS.] (a) In all cities or



villages which have heretofore or may hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all officers, assistants and employees, of such city or village, except those named and mentioned in sections 23, 24 and 27 of this Act, shall be appointed and discharged only in accordance with and in pursuance of the provisions of said civil service Act: *Provided*, that for the purpose of the performance of the duties imposed upon, and the exercise of the powers and authority vested in a head of department or office, by virtue of said civil service Act, the commissioner of each respective department under the commission form of municipal government shall be considered the head of department or office under said civil service Act.

(b) In all cities or villages which have heretofore or may hereafter adopt an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and prescribing the powers and duties of such board," approved and in force April 2, 1903, all officers and members of the fire and police departments of any such city or village, including the chief of police and chief of fire department, shall be appointed and discharged only in accordance with and in pursuance of the provisions of said board of fire and police commissioners Act.

(c) Nothing in this Act contained shall be construed to prevent any city or village adopting the commission form of

municipal government, from adopting "An Act to regulate the civil service of cities," approved and in force March 20, 1895, or when of the required population, from adopting "An Act to provide for the appointment of a board of fire and police commissioners in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and prescribing the powers and duties of such board," approved and in force April 2, 1903.

(d) In all cities and villages which have heretofore adopted an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners in all cities having a population of not less than 7,000 nor more than 200,000 and prescribing the powers and duties of such board," approved and in force April 2, 1903, and which have also heretofore adopted this Act, said Act to provide for a board of fire and police commissioners shall continue in full force and effect in said city or village in like manner as said Act would have continued in force therein if this Act had not been adopted therein. *Provided*, that the council shall have the right, power and authority to appoint and discharge the board of fire and police commissioners. [Amended by Act approved June 28, 1919.]

§ 27. APPOINTMENT AND DISCHARGE OF HEADS OF DEPARTMENT.] The council shall have the right, power and authority to appoint and discharge the heads of all principal departments subordinate to the departments provided for in section 23 of this Act: *Provided*, that by ordinance the commissioner of each respective department may be vested with the right, power and authority to appoint and

discharge the heads of all principal departments subordinate to the respective department of which he is commissioner: *Provided, however,* that in all cities and villages adopting an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners, etc.," in force April 2, 1903, the chief of police and chief of fire department shall be appointed and discharged only as provided in said Act. [Amended by Act of May 12, 1911. L. 1911, p. 140.]

§ 28. APPOINTMENT AND DISCHARGE OF OFFICERS, ASSISTANTS AND EMPLOYEES.] In all cities or villages which have not heretofore or shall not hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, all officers, assistants and employees of each respective department specified in section 23 of this Act, except those elected or appointed by the council, by virtue of sections 24 and 27 of his Act, shall be appointed by the commissioner of each respective department specified in section 23, and may be discharged by him when in his judgment the efficient conduct of the city's affairs shall demand it: *Provided, however,* that in all cities and villages which have not heretofore or shall not hereafter adopt an Act entitled, "An Act to regulate the civil service of cities," approved and in force March 20, 1895, and have not heretofore or shall not hereafter adopt an Act entitled, "An Act to provide for the appointment of a board of fire and police commissioners, in all cities of this State having a population of not less than seven thousand nor more than one hundred thousand and pre-



scribing the powers and duties of such board," approved and in force April 2, 1903, all officers and members of the fire and police departments, except those elected or appointed by the council, by virtue of sections 24 and 27 of this Act, shall be appointed by the commissioner of the appropriate department, specified in section 23 of this Act, to which the powers and duties of and to be performed by the fire department and police department respectively shall be assigned, and may be discharged by him when in his judgment the efficient conduct of the city's affairs shall demand it. [Amended by Act of May 12, 1911. L. 1911.]

§ 29. REMOVALS.] Any officer, assistant, or employee who shall have been elected or appointed by the council in accordance with the provisions of this Act may be removed from office at any time by a vote of a majority of the members of such council, except as otherwise provided for in this Act or by law.

§ 30. SALARY OF MAYOR AND COMMISSIONERS.] The mayor and each of the commissioners shall have an office at the municipal building or rooms, and shall devote such time to the duties of their respective offices as a faithful discharge thereof may require: *Provided*, that in cities of twenty thousand (20,000) population and over the mayor and commissioners shall devote at least six hours daily to the performance of their official duties, and their total and only compensation for the performance of their several and respective duties shall be annual salaries, which shall be fixed by the council and which shall not exceed as follows, to-wit:

Where the population is not over

2,000 the annual salary of the mayor may be \$50.00, and of each commissioner \$40.00.

Where the population is over 2,000 and not over 5,000, the annual salary of the mayor may be \$250.00, and of each commissioner \$100.00.

Where the population is over 5,000 and not over 10,000, the annual salary of the mayor may be \$600.00, and of each commissioner \$400.00.

Where the population is over 10,000 and not over 15,000, the annual salary of the mayor may be \$1,200.00, and of each commissioner \$900.00.

Where the population is over 15,000 and not over 20,000, the annual salary of the mayor may be \$2,000.00, and of each commissioner \$1,700.00

Where the population is over 20,000 and not over 30,000, the annual salary of the mayor may be \$2,500.00, and of each commissioner \$2,000.00.

Where the population is over 30,000 and not over 40,000, the annual salary of the mayor may be \$3,500.00, and of each commissioner \$3,000.00.

Where the population is over 40,000 and not over 60,000, the annual salary of the mayor may be \$4,000.00, and of each commissioner \$3,500.00.

Where the population is over 60,000 and not over 80,000 the annual salary of the mayor may be \$4,500.00, and of each commissioner \$4,000.00.

Where the population is over 80,000 and not over 100,000, the annual salary of the mayor may be \$5,000.00, and of each commissioner \$4,500.00.

Where the population is over 100,000 and not over 200,000, the annual salary of

the mayor may be \$6,000.00, and of each commissioner \$5,500.00.

All such annual salaries shall be payable in equal monthly installments, and where the number of inhabitants is referred to in this section, it shall mean the number of inhabitants according to the Federal, State, city or village census last preceding the election of mayor and commissioners. [Amended by Act of April 17, 1911. L. 1911.]

§ 31. SALARY OF OTHER OFFICERS, ASSISTANTS OR EMPLOYEES.] All other officers, assistants or employees of such city or village shall receive such salary or compensation as the council thereof shall by ordinance provide, payable monthly or at such shorter periods as the council may determine, but no change shall be made in said salaries during the six months' period preceding any regular biennial election.

#### MEETINGS AND ORDINANCES

§ 32. REGULAR AND SPECIAL MEETINGS—MAYOR TO PRESIDE—COMMISSIONER OF ACCOUNTS AND FINANCE VICE PRESIDENT OF COUNCIL.] Regular meetings of the council shall be held on the first Monday after the mayor and commissioners shall have entered upon the performance of their respective official duties, and thereafter at least once each week. The council shall provide by ordinance for the holding of regular meetings, and special meetings may be called from time to time by the mayor or two commissioners upon giving not less than twenty-four hours' notice to all members of the council: *Provided, however, that if all members of the council are present at such special meeting no notice of such*



meeting shall be necessary. All meetings of the council, whether regular or special, shall be open to the public.

The mayor shall be president of the council and preside at its meetings, and shall supervise all departments and report to the council for its action all matters requiring attention in any department. The commissioner of accounts and finance shall be vice-president of the council, and in case of vacancy in the office of mayor or the absence or inability of the mayor, shall perform the duties of mayor.

§ 33. WHAT ORDINANCES TO REMAIN ON FILE FOR PUBLIC INSPECTION.] Every ordinance or resolution appropriating any money or ordering any street improvement or sewer, or making or authorizing the making of any contract or granting any franchise, right or license to occupy or use the streets, alleys, highways, bridges, viaducts, public property or public places in the city or village for any purpose, shall remain on file with the city or village clerk for public inspection, complete in form in which it is finally passed, <sup>at least</sup> one week before the final passage or adoption thereof.

§ 34. GRANT OF FRANCHISE, ETC.—APPROVED BY ELECTORS.] Every grant of any franchise, right or license to occupy or use the streets, alleys, highways, bridges, subways, viaducts, public property or public places for aerialway, <sup>interurban</sup> interurban, suburban, subway, elevated or street railways, gas, water works, electric light, power plants, heating plants, telegraphs, telephone systems or other public service utilities, within said city or village, must be authorized or approved by a majority of the electors voting thereon, at a general or special

election as provided herein: *Provided*, that any proposed ordinance granting any such franchise, right or license as aforesaid, passed by the council in pursuance of, or by virtue of any of the provisions of section 47, must be authorized or approved by a majority of the electors of such city or village voting thereon, at a general or special election, before the same shall go into effect. [Amended by Act of May 12, 1911.]

§ 35. ORDINANCE GRANTING FRANCHISE, ETC.; SUBMITTED TO VOTE—SPECIAL ELECTION—BALLOT.] Upon the passage of any ordinance or ordinances by the council granting any franchise, right or license specified in section 34 of this Act, the same shall forthwith be submitted to a vote of the electors of said city or village at a special election called by such council for such purpose, and notice of which shall be given in the same manner and form and within the same time by the same persons as notices of special elections within said city or village are required to be given under the election law in force in such municipality, except as otherwise provided in this Act.

The ballots used when voting upon said ordinance or ordinances shall contain these words: "Shall the city or village (name of city or village).....adopt the ordinance (stating the nature of the proposed ordinance)?"

The proposition or propositions to be voted upon shall appear in plain, prominent type, and on a separate and distinct ballot, and the names of no candidates for any office or offices, nor any other proposition or propositions except those authorized under this Act, shall appear

thereon, and such ballot and the manner of voting the same shall substantially comply with section 16, and all amendments thereto, of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891:" *Provided*, that two or more such ordinances specified in section 34 may be submitted at the same time and upon the same ballot: *Provided, further*, that any one or more ordinances, as hereinafter provided for in sections 47 and 48, may be submitted at such election upon the same ballot, if all the other requirements of this Act relative to such proposed ordinance or ordinances shall have been complied with.

The style of all ordinances passed by municipalities adopting this Act shall be: "Be it ordained by the council of the city (or village) of....."

§ 36. WHEN SPECIAL ELECTION NOT CALLED.] No special election shall be called for the approval or rejection of any ordinance mentioned in sections 34 and 35 if a general municipal election provided for by law occurs within ninety days after the passage thereof, in which case such ordinance or ordinances shall be submitted to a vote of the electors of said city or village, at such general municipal election in manner and form as provided herein.

If a majority of the qualified electors either at a general or special election, voting on such ordinance or ordinances



respectively shall vote in favor thereof, such ordinance or ordinances shall there-upon become a valid and binding ordinance of the municipality.

#### OFFICERS NOT TO BE INTERESTED IN CITY CONTRACTS.

§ 37. OFFICERS NOT TO BE INTERESTED IN CITY CONTRACTS—NOR RECEIVE FREE TRANSPORTATION—PENALTY.] No mayor, commissioner, officer, assistant or employee elected or appointed in any such city or village shall be interested, directly or indirectly, in any contract or job for work or materials, or profits thereof, or services to be furnished or performed for the city or village, and no mayor, commissioner, officer, assistant or employee shall be interested, directly or indirectly, in any contract or job for work or materials, or the profits thereof, or services to be furnished or performed for any person, firm or corporation, operating aerialway, interurban, suburban, subway, elevated or street railways, gas works, water works, electric light plants, power plants, heating plants, telegraph or telephone lines, systems or exchange, or other public utility wholly or partly within the territorial limits of said city or village. No mayor, commissioner, officer, assistant or employee shall request, accept or receive, directly or indirectly, from any person, firm or corporation owning, operating or leasing within or partly within the territorial limits of said city or village any aerialway, interurban railway, suburban railway, subway railway, elevated railway or street railway, gas works, water works, electric light plant, power plant, heating plant, telegraph lines or systems, telephone lines,

system or exchange, or other public service utility operating under any grant or franchise, license or right, or from any steamboat, ship, tug or ferry line leaving or entering or operating within said city or village, any employment, for hire or otherwise, or any frank, free ticket, pass, of free service either for himself, family, relatives, or any other person, or request, accept or receive, directly or indirectly, from any such person, firm or corporation, any other service upon terms more favorable than is granted to the public generally.

Any violation of this section shall be a misdemeanor and punished by a fine not less than \$100.00 nor more than \$500.00, and shall be ground for removal from office or employment.

Such prohibition of free transportation shall not apply to policemen or firemen in uniform, nor shall any free service to city or village officials or employees heretofore provided by any franchise or license be affected by this section.

Any officer or employee of such city or village who in any manner contributes money, labor or other valuable thing to any person for election purposes shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine not exceeding \$300.00 or by imprisonment in the county jail not exceeding thirty days, or both, at the discretion of the court.

§ 38. ELECTION OR APPOINTMENT OF OFFICERS—WHEN DEEMED GUILTY OF OFFERING BRIBE—PENALTY.] All officers, assistants and employees in any such municipality shall be elected or appointed in accordance with this Act with reference to their qualifications and fitness and for the good of the public service, and without

reference to their political or religious faith or party affiliations.

Any candidate for any office authorized to be voted for under this Act, who shall, directly or indirectly, enter into any understanding or agreement to do or not to do any official act in the event of his election to the benefit or advantage of any person, firm, corporation or association in consideration for the influence, support and assistance of said person, firm, corporation or association to bring about the election of such candidate, shall be deemed to be guilty of giving, or offering to give, a bribe, and if convicted thereof shall be punished by a fine of not less than \$100.00 nor more than \$500.00 or by imprisonment in the county jail not exceeding thirty days, or both, in the discretion of the court, and if elected to office he shall be deemed to have resigned such office by reason of such conviction. Nothing herein contained shall be taken to prevent any candidate from publicly outlining his position or pledging his support for, or opposition to, any measure or prospective measure of a public nature.

§ 39. ELECTIVE OFFICERS TO PUBLISH SWORN STATEMENT OF ELECTION EXPENSES.] Every elective officer, elected by the electors of such city or village, shall, within thirty days after qualifying, file with the city or village clerk and publish at least once in a daily newspaper of general circulation, or if there is no daily newspaper published in such city or village, then in a weekly newspaper of general circulation published in such city or village, or if there is no weekly newspaper published in such city or village, then in some newspaper of general circulation published in the county



in which such city or village is located, his sworn statement of all his election and campaign expenses (including primary election) and by whom such funds were contributed.

Any violation of the provisions of this section shall constitute a misdemeanor and be punished by a fine not exceeding \$500.00 or by imprisonment in the county jail not exceeding three months, or by both such fine and imprisonment, in the discretion of the court, and shall be a ground for removal from office.

#### FINANCES AND APPROPRIATIONS.

§ 40. COUNCIL TO PRINT ITEMIZED STATEMENT OF EXPENSE—BOOKS AND ACCOUNTS TO BE EXAMINED AND RESULT PUBLISHED.] The council shall each month print in a pamphlet form, a detailed itemized statement of all receipts and expenses of the city or village and a summary of its proceedings during the preceding month, and furnish printed copies thereof to the State library, the city library, all the daily and weekly newspapers of general circulation of the city or village, and to persons who shall apply therefor at the office of the city or village clerk, except that in cities, villages or towns of less than 15,000 population the council shall make such report annually instead of monthly. At the end of each year in addition to the duties prescribed in section 55 of the Act, the council shall cause a full and complete examination of all books and accounts of the city or village to be made by competent accountants, and shall publish the result of such examination in the manner above provided for publication of statement of monthly expenditures.

It shall be unlawful for the council or

any commissioner to directly or indirectly expend a greater amount for any municipal purpose than the amount appropriated for such municipal purpose in the annual appropriation ordinance passed for that fiscal year. A violation of this provision by any member of the council shall, upon conviction thereof, subject the offender to a fine of not less than \$100.00 and not to exceed \$500.00. [Amended by Act approved June 27, 1923.]

§ 41. COUNCIL MAY REVISE APPROPRIATION.] If, at the beginning of the term of office of the first council elected in such city or village under the provisions of this Act, the appropriation for the expenditures of the city or village government for the current fiscal year have been made, said council shall have the power by ordinance to revise, to repeal or change said appropriation and to make additional appropriations in the manner and within the time provided by law.

#### RECALL OF ELECTIVE OFFICERS.

§ 42. RECALL AND REMOVAL—PROCEDURE TO EFFECT SAME.] Every incumbent or an elective office, except a judicial office (officer) and officers of a court, whether elected by a popular vote or appointed to fill a vacancy is subject to recall and removal at any time by the electors qualified to vote for a successor of such incumbent. The procedure to effect the removal of an incumbent of such office shall be as follows:

(a) A petition signed by electors entitled to vote for a successor to the incumbent sought to be recalled or removed, equal in number to at least fifty-five per centum of the entire vote for all candidates for the office of mayor at the last preceding general municipal

(b) The petition shall be substantially in the following form:

We, the undersigned electors of the city (or village) of (name of city or village) entitled to vote for a successor to (name of person) an incumbent of the office of (name of office), in said city (or village) do hereby demand an election of a successor to said (name of person) for the following reasons, to-wit: (Here state reasons in not more than two hundred words.)

Names	House Number (if any)	Street	Date of signing

State of Illinois, }  
County of..... } ss.

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reside at number ..... street, in the  
city (or village) of ..... of the  
county of ..... and State of Illinois,  
that the signatures on this sheet were  
signed in my presence, on the dates set  
opposite their respective names, and that  
the same are genuine, and that to the  
best of my knowledge and belief the  
persons so signing were at the time of  
signing qualified electors, entitled to  
vote for a successor of (here insert the  
name of person holding office and also  
the title of the office) .....and  
that their respective residences are  
correctly stated as above set forth, and  
that such persons were at the time of  
signing said sheet duly registered.

.....  
Subscribed and sworn (or affirmed) to  
before me this ..... day of.....  
A. D. 19.....

.....  
(Official Character.)

(Seal, if officer has one.)

(c) Such petition shall consist of  
sheets having such form printed or  
written at the top thereof and shall be  
signed by electors qualified to vote for  
such successor, in their own proper  
person, only, and opposite the signature  
of each petitioner shall be written by such  
person the street and number of his  
residence address (if there be such) and  
the date of signing the same. No sig-  
natures shall be valid or be counted in  
considering such petition unless these  
requirements are complied with and  
unless the date of signing is less than four  
months preceding the date of filing such  
petition.

At the bottom of each sheet shall be  
added a statement, signed by a resident

of the city or village in which the signers thereof reside, with his residence address as aforesaid, stating that the signatures on the sheet were signed in his presence, on the dates set opposite the respective names, and that the same are genuine and to the best of his knowledge and belief the persons so signing were at the time of signing qualified electors, entitled to vote for a successor of the incumbent sought to be removed or recalled, and in cities or villages in which voters are or may be required to be registered, that they were at the time of signing said sheet duly registered, and that their respective residences are correctly stated as set forth on such sheet.

Such statement shall be sworn to before an officer residing in the county in which such city or village or the greater part thereof is located, who is qualified to administer oaths therein. Such petition, so verified, or a copy thereof duly certified by the proper persons, shall be *prima facie* evidence that the signatures, statement of residence, and dates upon such petition are genuine and true and that the persons signing the same are electors qualified to vote for a successor of such incumbent and in cities and villages in which the voters are or may be required to be registered, that they were at the time of the signing of such petition duly registered voters.

(d) Such sheets shall be fastened together at the upper edges in one document filed as a whole and when filed shall not be withdrawn or added to or altered in any manner by any person. No signature shall be revoked except by revocation filed in writing with the clerk with whom the petition is required to be

filed and before the filing of such petition. Upon request of any person, the clerk shall furnish a certified copy of such petition and names thereto, upon the payment by such person to the clerk of a fee of one dollar for each 100 names thereto.

(e) Whoever in making the sworn statement above prescribed shall knowingly, wilfully and corruptly swear falsely, shall be deemed guilty of perjury and on conviction thereof shall be punished accordingly. Whoever forges the signatures of any person upon any petition or statement, or residence, street or number or the date of signing, shall be deemed guilty of forgery and on conviction thereof, punished accordingly.

(f) 1. All objections to such petition shall be filed with the clerk with whom such petition is filed, within five days after the filing of the same, and if the objections are filed against such petition as aforesaid then at the expiration of such five days the petition, together with all objections thereto, shall by such clerk be immediately filed in the office of the clerk of the County or Circuit Court of the county in which such city or village or the greater part thereof is situated.

2. Authority and jurisdiction are hereby conferred upon and vested in the County Court or in the judge thereof in vacation, or in the Circuit Court or the judge or judges thereof in vacation, to determine in a summary manner the sufficiency of such petition, and the decision, decree or judgment thereon of any such court or judge as aforesaid shall become immediately effective and no appeal or writ of error shall in any manner stay or prevent the immediate



operation of such decision, decree or judgment.

The clerk of the court with whom such petition and objections thereto are filed shall immediately upon the filing of the same with him, forthwith present the same to the judge thereof, who shall note thereon the day presented, and shall also note thereon the day when he will hear the same, which shall not be less than five nor more than ten days thereafter, and shall order five days' notice thereof to be given by publication in some daily secular newspaper published in such city or village, or in case there is no such daily newspaper, then by posting written or printed notices in five of the most public places in said city or village, including a notice at the city or village hall, if any there be.

3. The court or judge shall ascertain and declare by a decree, as in chancery, to be entered of record in the proper court the sufficiency or insufficiency of such petition, and the clerk of the court shall immediately upon said decree being entered transmit to the clerk with whom the petition was originally filed such petition and a certified copy of the decree and order of the court or judge.

(g) If no objections to said petition are filed within five days as provided in sub-division (f) this section, or if objections are filed and the court or judge aforesaid shall decree such petition sufficient then immediately after the expiration of said five days, or immediately after the receipt by the clerk with whom the petition was originally filed, from the clerk of the court, of such petition and the certified copy of the decree declaring the same sufficient, as

the case may be, the clerk with whom the petition was originally filed shall submit such petition to the council without delay, and the council shall order and fix the date for holding the said election, which shall not be less than forty days nor more than fifty days after the said petition is submitted to the council.

Any officer, member of the council, assistant or employee who shall violate or who shall wilfully or through culpable negligence fail to comply with any of the provisions of this section 42, shall be subject to a fine of not more than \$200.00 or imprisonment in the county jail not exceeding six months, or both such fine and imprisonment, and may be removed from office.

(h) Such election, and the primary election immediately preceding the same, shall be considered a 'special election, so far as registration for voters and revision of registry is concerned, but notices of and arrangements for holding such election shall be the same, and such election shall be conducted, returned and the result thereof declared, in all respects as general municipal elections under this Act: *Provided*, the primary election for nomination of a candidate shall be held two weeks preceding such election, and only one candidate for each officer sought to be recalled shall be nominated: *Provided, further*, that section 18 of this Act shall also apply to special primary elections: *And, provided, further*, the statements and petitions of candidates may be filed not less than seven days preceding said primary election. [Amended by Act of May 12, 1911.

§ 43. WHEN OFFICERS SOUGHT TO BE RECALLED RESIGNS.] If the officer sought to be recalled or removed, shall resign within five days after the said petition is filed with the clerk, the council shall proceed to appoint his successor, the same as in the case of other vacancies, and no election shall be held: *Provided*, the council shall have no power to appoint the person so resigning: *And, provided, further*, that unless such officer sought to be recalled resigns within said five days said recall election shall proceed.

§ 44. NAME OF PERSON SOUGHT TO BE RECALLED PLACED ON BALLOT WITHOUT NOMINATION—CANDIDATE RECEIVING HIGHEST NUMBER OF VOTES NOMINATED TO OPPOSE PRESENT INCUMBENT—SPECIAL ELECTION—WHEN INCUMBENT REMOVED.] The successor of any officer so removed or resigning shall hold office during the unexpired term of his predecessor. Any person sought to be recalled or removed shall be a candidate to succeed himself, unless he shall resign as aforesaid, and his name shall be placed on the official ballot without nomination.

In any such removal or recall election the candidate receiving the highest number of votes shall be declared elected and in the primary election preceding the same the person receiving the highest number of votes shall be declared the nominee to oppose the present incumbent.

At such special election if some other person than the incumbent receives the highest number of votes, the incumbent shall thereupon be deemed removed from office upon the qualification of his successor. In case the party who receives the highest number of votes should fail to qualify, within ten days after receiving



notice of his election, the office shall become vacant, and the council shall proceed to fill the same, as in other vacancies: *Provided*, that the incumbent whose successor was elected and failed to qualify shall not be appointed to fill such vacancy.

§ 45. NO RECALL PETITION FOR TWELVE MONTHS.] No recall or removal petition shall be filed against any officer until he has actually held office for at least twelve months.

§ 46. NO PERSON RECALLED APPOINTED TO ANY OFFICE FOR ONE YEAR.] No person who has been recalled or removed from an elective office, or who has resigned from such office while recall or removal proceedings were pending against him, shall be appointed or elected to any office in said city within one year after such recall or resignation.

#### INITIATIVE.

§ 47. PETITION FOR SUBMISSION OF ORDINANCES—ELECTION—BALLOT—PROPOSITION FOR REPEAL OR ORDINANCE.] Any proposed ordinance may be submitted to the council by petition signed by electors of the city or village, equal in number to the percentage hereinafter required. The signature, verification, authentication, inspection, certification and submission of such petition shall be the same as provided for petitions under section 42 hereof: *Provided*, such petition shall be filed with the city or village clerk.

If the petition accompanying the proposed ordinance be signed by electors equal in number to twenty-five per centum of the votes cast for all candidates for mayor at the last preceding general municipal election, and contains a request that the said ordinance be submitted to a

vote of the people if not passed by the council, such council shall either

(a) Pass such ordinance without alteration within thirty days after the filing of the same with the clerk, or

(b) Forthwith after thirty days from the time of filing such petition shall have expired, the council shall call a special election, unless a general municipal election occurs within ninety days thereafter, and at such special or general election, such ordinance shall be submitted without alteration to the vote of the electors of said city.

But if the petition is signed by not less than ten nor more than twenty-five per centum of the electors above defined, then the council shall, within thirty days after such petition is filed pass said ordinance without change or submit the same at the next general municipal election occurring not more than ninety days after the filing of such petition.

The ballots used when voting upon said ordinance shall contain these words: "Shall the ordinance (stating the nature of the proposed ordinance) be adopted," and shall otherwise comply with section 16, and the amendments thereto, of an Act entitled, "An Act to provide for the printing and distribution of ballots at public expense, and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891." Such proposition shall be submitted on a separate and distinct ballot, except as otherwise provided in this Act.

If a majority of the qualified electors voting on the proposed ordinance shall vote in favor thereof, such ordinance shall

thereupon become a valid and binding ordinance of the city, and any ordinance proposed by petition or which shall be adopted by a vote of the people, cannot be repealed or amended except by a vote of the people.

Any number of proposed ordinances may be voted upon at same election, in accordance with the provisions of this section, but there shall not be more than one special election in any period of six months for such purpose alone: *Provided, however,* two or more proposed ordinances may be submitted separately on the same ballot.

The council may submit a proposition for the repeal of any ordinance or for amendments thereto, to be voted upon at any succeeding general city or village election; and, should such proposition so submitted receive a majority of the votes cast thereon at such election, such ordinance shall thereby be repealed or amended accordingly. Whenever any ordinance or proposition is required by this Act to be submitted to the voters of the city or village at any election, the city or village clerk shall cause such ordinance or proposition to be published once in each of the daily newspapers of general circulation published in said city or village, or in case there is no daily newspaper published in said city or village then once in each weekly or semi-weekly newspaper published in said city or village, and if there is no newspaper published in said city or village, then by posting a printed copy of such ordinance or proposition in each of the voting precincts in such city or village, or, as near as possible to the polling place therein, such publication or posting to be not



more than twenty nor less than five days before the submission of such proposition or ordinance to be voted upon.

#### REFERENDUM.

§ 48. PETITION PROTESTING AGAINST PASSAGE OF ORDINANCE—ELECTION.] No ordinance passed by the council, except when otherwise required by the general laws of the State or by the provisions of this Act, except an ordinance for the immediate preservation of the public peace, health or safety, which contains a statement of its urgency and is passed by a two-thirds vote of the council, shall go into effect before thirty days from the time of its final passage, and if during said thirty days a petition signed by the electors of the city or village equal in number to at least ten per centum of the entire vote cast for all candidates for mayor at the last preceding general municipal election at which a mayor was elected, protesting against the passage of such ordinance, be presented to the council, the same shall thereupon be suspended from going into operation, and it shall be the duty of the council to reconsider such ordinance, and if the same is not entirely repealed, the council shall submit the ordinance as provided in sub-section (b) of section 47 of this Act, to a vote of the electors of the city or village, either at the general election or at a special election to be called for that purpose, and if such petition protesting against the said ordinance is filed then such ordinance shall not go into effect or become operative unless a majority of the qualified electors voting on the same shall vote in favor thereof. But in the event of no such petition being filed protesting against

such ordinance then such ordinance shall be in full force and effect. Said petition shall be in all respects in accordance with the provisions of said section 47, except as to the percentage of signers.

§ 49. ABANDONMENT OF ORGANIZATION —PETITION.] Any city or village which shall have operated for more than two years under the provisions of this Act, may abandon such organization hereunder and accept the provisions of the general law of the State then applicable to cities and villages, by proceeding as follows:

Upon the petition of not less than twenty-five (25) per cent of the electors of such city filed with the city clerk, the city council shall submit to the electors of such city or village, or the election commissioners in cities, towns and villages which have adopted the city election law at a special municipal election to be held within sixty (60) days after the filing of said petition with the city clerk, or the election commissioners in cities or villages which have adopted the city election law, the following proposition to-wit: Shall the city of.....(or village) abandon its organization under the commission form of municipal government and become a city (or village) under the general law: *Provided*, that such proposition shall not be submitted oftener than once in two years. If a majority of the votes cast at such election be in favor of such proposition, the officers elected at the next succeeding annual city or village election shall be those then prescribed by the Act to which this Act is an amendment and upon the qualifications of such officers such municipality shall become a city (or village), but such change

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section 42 of this Act, insofar as the provisions thereof may be applicable. [Amended by Act filed June 28, 1917.

#### MISCELLANEOUS PROVISIONS.

§ 50. DUTY OF PUBLIC SERVICE CORPORATION OR UTILITY AS TO SERVICE—PENALTY.] Every public service corporation or utility shall furnish and provide equal and uniform service alike to all citizens of any city or village adopting the provisions of this Act, and it shall be unlawful and a sufficient ground for the forfeiture of any franchise for any such corporation to grant free service, or furnish better service, or to furnish service at a lower price or rate, quantity and quality considered to any person or persons, or otherwise discriminate in the matter of rates of service between citizens of any such city or village adopting the provisions of this Act. Upon proof being received by the council that this section is being violated, they shall at once summon witnesses and investigate, and if they so find then it shall be their duty to immediately cause suit to be instituted to have such franchise forfeited. *Provided, however,* the council shall have power by ordinance to grant any such corporation or utility the right to grant reduced rates to persons specified in such ordinance: *And, provided,* that the council may, by ordinance, authorize any street railway or interurban railway to transport free any member of the police or fire department of said city within the corporate limits thereof, and to authorize the giving of such free transportation in other cases, when the same shall not be in conflict with section 37 of this Act, and the general law of the State, which

shall control and govern this sub-division. And when the same shall not conflict with the provisions of an Act of Congress entitled, "An Act to regulate commerce," approved February 4, 1887, and the Act amendatory thereof approved June 29, 1906, and all other Acts amendatory thereto.

Any person, firm or corporation, its agents or officers thereof violating the provisions of this section, and any person, firm or corporation accepting the preference herein named, shall be punished by a fine of not less than one hundred dollars (\$100), nor more than five hundred dollars, (\$500), or by imprisonment in the county jail not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment, in the discretion of the court: *Provided*, that any person receiving special favors or privileges referred to in section 50, shall be immune from punishment in case he testifies to any matter referred to therein in pursuance of subpoena from said municipal authorities.

#### TREASURER.

§ 51. DUTIES OF TREASURER.] In addition to the other duties now imposed by law upon the treasurer of any city or village, the said treasurer shall make his daily deposits of such sums of money as shall be received by him from all sources of revenue whatsoever, to his credit as treasurer of said city or village, in one or more banks situated in said city or village, to be selected by the president of said council, the commissioner of accounts and finance, and the treasurer of such city or village, or by any two of them, and any such bank, before any such deposit is

made therein, shall be required to enter into an obligation with the said council to pay into the treasury of such city or village interest on the monthly balances of such deposits at a rate to be fixed by the president of said council, the commissioner of accounts and finance, and the treasurer, or by any two of them, and which rate may be changed in the same manner—such rate to be not less than three (3) per centum per annum, and shall also execute a good [and] sufficient bond, with sureties to be approved by the president of the said council, and conditioned that such bank will safely keep and account for, and pay over said money. Said president of the council, the commissioner of accounts and finance and the treasurer, in the selection of any such depository bank, shall take into consideration the reputation and solvency thereof, and the sufficiency of the security offered by such bank. All interest paid by any such bank upon such balances shall be collected by the treasurer of said city or village, and shall be by him reported in his next statement following such collection, and shall be considered and treated as a part of the general fund of such city or village, subject to use for any legitimate municipal purpose.

§ 52. MAYOR AND COMMISSIONERS NOT TO BE INTERESTED IN PUBLIC SERVICE CORPORATION NOR IN FRANCHISE, ETC.,—PENALTY.] Neither the mayor nor any commissioner elected under the provisions of this Act shall be interested directly or indirectly in any public service corporation, at the time he assumes office.

Any mayor or such commissioner assuming office subject to the disqualifications



of this section shall be deemed guilty of a misdemeanor, and shall be punishable by a fine of not less than one thousand dollars (\$1,000.00) nor more than five thousand dollars (\$5,000.00), or by imprisonment in the county jail of not less than three (3) months nor more than one (1) year, or by both such fine and imprisonment in the discretion of the court. [Amended by Act approved and of force April 26, 1923.

§ 53. POWER OF COUNCIL TO INSPECT PLANTS, APPLIANCES, ETC.] The council is hereby granted full power and authority to make proper regulations for due inspection of all plants and machinery of any person, firm or corporation exercising or enjoying any right, grant or franchise from any city or village adopting the provisions of this Act. And such council and their authorized agents shall have the right to make all necessary examinations of any plant, appliances or apparatus for the purpose of making the necessary tests to see that such firm, person or corporation comply with the regulations of such council with reference to the quality and the character of the commodity furnished. Said council shall have the power to specify, determine and regulate the quality and character of gas and electricity furnished to it and to the citizens of such city by any person, firm or company furnishing electricity or illuminating or fuel gas; and such cities and villages shall have full power and authority to do and perform all acts necessary to carry out and give full force and effect to the provisions of this section.

§ 54. CONTRACTS INVOLVING OUTLAY OVER \$500—SPECIFICATIONS—ADVERTISE-  
MENT—BIDS.] All contracts, of whatever

character, pertaining to public improvement, or the maintenance of public property of any city or village, involving an outlay of as much as five hundred dollars (\$500.00) shall be based upon specifications to be prepared and submitted to, and approved by the council, and after approval by the council, advertisement for the proposed work, or matters embraced in said proposed contract, shall be made, inviting competitive bids for the work proposed to be done; which said advertisement shall be put in a newspaper not less than two times, the first advertisement to be not more than fifteen days nor less than ten days before the day fixed for the opening of such bids. All bids submitted shall be sealed, shall be opened by the mayor in the presence of a majority of the council and shall remain on file in the mayor's office and be opened to public inspection for at least forty-eight hours before any award of said work is made to any competitive bidder. The council shall determine the most advantageous bid for the city, and shall enter unto contract with the party submitting the lowest secure bid, but shall always, in every advertisement of public work or contract involving as much as five hundred dollars (\$500.00) reserve the right to reject any and all bids. Pending the advertisement of the work or contract proposed specifications therefor shall be on file in the office of the mayor, subject to the inspection of all parties desiring to bid. [Amended by Act filed July 7, 1923.]

§ 54½. "OFFICIAL NEWSPAPER" FOR PUBLICATIONS.] The city council shall select some secular English daily newspaper published in such city, if there be

such, and if not, some secular English weekly newspaper published in such city, if there be one, to be the "official newspaper" for such city. All notices, advertisements, reports, proceedings and miscellaneous matters required to be published by the terms of this Act shall be published in such "official newspaper." Such paper shall be selected by competitive bidding in the same manner as it is herein provided other contracts may be let, and in determining which bidder is the lowest, the local circulation of each of said newspapers shall be a determining element.

#### OATHS AND BONDS.

§ 55. OATHS.] The mayor and commissioners and all officers, elected or appointed, shall, before entering upon the duties of their respective offices, take and subscribe the oath or affirmation prescribed by the constitution; which oath or affirmation, so subscribed, shall be filed in the office of the city or village clerk.

§ 56. BOND OF MAYOR AND COMMISSIONERS AND OTHER OFFICERS.] The mayor and each commissioner, city or village clerk and city or village treasurer, and such other officers and employees as the council may designate by ordinance, shall, before entering upon the duties of their respective offices, execute bond with good and sufficient security to be approved by the council, payable to the city or village in such penal sum as may, by resolution or ordinance, be directed, conditioned for the faithful performance of the duties of the office and the payment of all moneys received by such officer, according to law and the ordinance of said city or village: *Provided, however,* the bonds of the mayor and of the com-



missioners shall be approved by the judge of the County Court of the county in which such city or village or the greater part thereof is located, and shall not be fixed at a less sum than three thousand dollars (\$3,000.00).

The bonds of the mayor and commissioners shall be filed in the office of the county clerk of such county and be by him recorded in his office and carefully preserved.

The bonds of all other officers of such city or village (except the city or village clerk) shall be filed in the office of the city or village clerk, and be by him recorded in his office and carefully preserved. The bond of the city or village clerk shall be filed in the office of the city or village treasurer and be by him recorded in such office and carefully preserved: *Provided, further,* the treasurer's bond shall in no case be fixed at a less sum than the amount of the estimated taxes, special assessments, special taxes, license fees and receipts of the city or the city or village from all sources for the current year.

§ 57. PROPOSITION OF TOWN OR VILLAGE OR CITY HAVING SPECIAL CHARTER, OR ETC. ADOPTING COMMISSION FORM OF GOVERNMENT.] Any town or village or city having a special charter or any area of contiguous territory not exceeding two square miles, which shall have resident thereon a population of at least 300 inhabitants and which is not included in the limits of any incorporated town, village or city which may take steps to organize as a village or city under the Act to which this is an amendment, in addition to voting upon said proposition to so organize, shall also vote at the same election upon the question of adopting

this Act and shall have printed on the same ballot a proposition in the following form:

“Shall the city (or village, as the case may be) of (here insert the name of such city or village) adopt the commission form of municipal government?”	Yes	
	No	

Such proposition shall be voted upon in the manner as near as may be provided by section 16 of an Act entitled, “An Act to provide for the printing and distribution of ballots at public expense and for the nomination of candidates for public offices, to regulate the manner of holding elections, and to enforce the secrecy of the ballot, approved June 22, 1891, in force July 1, 1891.”

And if such last named proposition is adopted by a majority vote of such municipality or territory also votes to organize as a city or village under the general law, then this Act shall apply to such city or village and it shall be deemed to be organized under this law or otherwise not. [Invalid. People v Campbell 285 Ill. 557.

§ 58. RULES IN CONSTRUING THIS ACT.] In the construction of this Act the following rules shall be observed, unless such construction would be inconsistent with the manifest intent, or repugnant to the context of the statute:

(a) The words “commissioner,” or “alderman” or “village trustees” shall be construed to mean commissioner when applied to duties under the Act to which this is an amendment.

(b) When an office or officer is named in any law referred to in this Act, it shall, when applied to cities or villages under this Act, be construed to mean the office or officer having the same functions or duties under the provisions of this Act, or under ordinances passed under authority thereof.

(c) The word "council" shall be considered synonymous with "city council" or "president and board of trustees."

(d) The word "franchise" shall include every special privilege or right in the streets, alleys, highways, bridges, subways, viaducts, air, waters, public places and public property, whether granted by the State or the city or village which does not belong to the citizens generally by common right.

(e) The word "electors" shall be construed to mean persons qualified to vote for elective officers at municipal elections.

(f) The word "city" where used in this Act shall include village.

(g) The term "municipal" or municipality" where used herein shall mean either city or village.

(h) The word "treating" shall be construed to mean the entertaining of person or persons with food, drink, tobacco or drugs.

(i) The word "treats" shall be construed to mean the food, drink, tobacco, or drugs, requested, offered, given or received in treating or for entertainment of a person or persons.

§ 59. INVALIDITY.] The invalidity of any portion of this Act shall not effect [affect] the validity of any other portion thereof, which can be given effect without such invalid parts, the intention hereof being that the courts of this State shall



presume conclusively that it is the intention of the General Assembly that all the provisions of this Act, which are not in and of themselves invalid, shall be given effect, notwithstanding the courts, but for the provisions of this section, might presume it to be the intention of the General Assembly that the valid portions of this Act should not be given effect unless the portions thereof which are invalid would also be given effect.

§ 60. ACTS IN CONFLICT INOPERATIVE—EXCEPTION AS TO LOCAL IMPROVEMENT AND PARK ACTS.] All Acts and parts of Acts in conflict with the provisions hereof are hereby rendered inoperative in such cities or villages as shall adopt this Act so long as they remain under this Act: *Provided, however,* nothing contained in this Act shall in any [way] repeal, amend or affect the law pertaining to the making of local improvements under the provisions of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, and all Acts amendatory thereto: *And, provided, further,* that this Act shall not repeal, amend or affect any of the provisions of chapter 105 entitled "Parks," but all the several Acts therein contained shall be and remain of the same effect as if this Act had not been adopted.

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LOCAL IMPROVEMENTS—BOARD OF, IN  
CITIES UNDER COMMISSION FORM.

AN ACT to amend section six (6) of an Act entitled, "An Act concerning local improvements," approved June 14, 1897, in force July 1, 1897, as amended by an Act approved June 26, 1923, in force July 1, 1923.

SECTION 1. *Be it enacted by the People of the State of Illinois, represented in the*

*General Assembly:* Section 6 of "An Act concerning local improvements," approved June 14, 1897, as amended, is amended to read as follows:

§ 6. BOARD OF LOCAL IMPROVEMENTS.] In cities within the terms of this Act, having a population of one hundred thousand (100,000) or more, by the last preceding census of the United States, or of this State, there is hereby created a board of local improvements consisting of the superintendent of special assessments and five other members; such five members shall be nominated by the mayor and shall be confirmed by the council or board of trustees of such city; and no one of which, except such superintendent of special assessments, shall be the head of any department of the government of of such city, or hold any other office or position therein. Said board shall elect from its members a president, a vice-president, and an assistant secretary. The superintendent of special assessments shall be *ex officio* secretary of the board. In the absence or the inability of the president or secretary to act, the vice-president for the president and the assistant secretary for the secretary, are hereby given full power to sign and execute contracts, vouchers, bonds, payrolls and all other papers, documents and instruments necessary to carry this Act and all proceedings hereunder into full force and effect. Said board shall hold daily sessions for the transaction of all business in rooms accessible to the public, to be provided by the city council.

The city council or board of trustees of such city shall provide for salaries for said board of local improvements.

In cities within the terms of this Act

having a population of more than fifty thousand (50,000) and less than one hundred thousand (100,000) by the last preceding census of the United States, or of this State, there is hereby created a board of local improvements, consisting of five members, of which board the commissioner of public works shall be the president. The other members of said board shall be the superintendent of streets, the superintendent of sewers, and superintendent of special assessments and the city engineer.

In cities having a population of less than fifty thousand (50,000) and in villages and incorporated towns, the board of local improvements shall consist of the mayor of said city, or the president of such village or town, who shall be president of such board and the public engineer and the superintendent of streets of such municipality where such officers shall be provided for by ordinance; but if at any time no such officers shall be provided for, then the city council or the board of trustees, as the case may be, shall by ordinance designate two or more members of such body who shall, with such mayor or president of such village or town, until otherwise provided by ordinance, constitute the members of the board. The board of trustees of any city, village or incorporated town organized under special charter having a population of less than 75,000, the limits of which are co-extensive with the township in which it is situated, may provide by ordinance for the payment of salaries to the members of the board of local improvements; but, if any member of said board holds any other office in such incorporated city, village or town government,



his salary as member of said board shall not exceed the sum of \$100.00 per month. *Provided, however,* that in cities having a population of less than fifty thousand (50,000) and in villages and incorporated towns which have heretofore adopted or shall adopt an Act known as "The Commission Form of Municipal Government" Act, it shall be lawful for the council of said city, village or incorporated town to provide by ordinance that the board of local improvements shall consist of the mayor and any two or more of the commissioners, regardless of whether or not said offices of public engineer and superintendent of streets are provided for by ordinance.

# CITIES AND VILLAGES UNDER COMMISSION FORM OF MU- NICIPAL GOVERNMENT.

Altamont.....	June 26, 1917
Anna.....	Apr. 20, 1920
Aurora.....	Apr. 20, 1920
Braceville.....	Feb. 7, 1911
Braidwood.....	Feb. 10, 1920
Buda.....	Apr. 18, 1916
Cairo.....	Mar. 4, 1913
Carbondale.....	Jan. 7, 1911
Catlin.....	Apr. 15, 1913
Centralia.....	Feb. 12, 1917
Chenoa.....	Sept. 5, 1916
Chicago Heights.....	Feb. 15, 1921
Chrisman.....	Apr. 18, 1916
Clinton.....	Feb. 28, 1911
Coal City.....	Feb. 9, 1915
Collinsville.....	Apr. 16, 1919
Crotty.....	Nov. 22, 1921
Dallas City.....	Apr. 18, 1916
Decatur.....	Jan. 17, 1911
Dixon.....	Jan. 17, 1911
Downers Grove.....	Sept. 18, 1915
Earlville.....	Feb. 15, 1917
East St. Louis.....	Nov. 6, 1917
Effingham.....	Oct. 14, 1914
Elgin.....	Jan. 21, 1911
Flora.....	Apr. 21, 1914
Forest Park.....	Nov. 7, 1911
Gardner.....	Apr. 20, 1920
Chicago Heights.....	Feb. 15, 1921
Hamilton.....	Aug. 1, 1911
Harrisburg.....	Feb. 20, 1913
Harvey.....	Apr. 16, 1912
Highland Park.....	Oct. 27, 1914
Hillsboro.....	Feb. 14, 1911
Hurst.....	Mar. 18, 1919
Jerseyville.....	Feb. 20, 1917

Joliet.....	Feb.	2, 1915
Kewanee.....	Jan.	24, 1911
LaSalle.....	Feb.	21, 1921
Lincoln.....	Feb.	11, 1915
Marion.....	Apr.	20, 1915
Marseilles.....	Oct.	12, 1912
Moline.....	Jan.	3, 1911
Murphysboro.....	Feb.	22, 1913
Mt. Carmel.....	Dec.	28, 1915
Naperville.....	Aug.	28, 1912
Newton.....	Apr.	18, 1916
Oglesby.....	Feb.	18, 1919
Olney.....	Apr.	18, 1916
Ottawa.....	Jan.	17, 1911
Palos Park.....	Oct.	31, 1914
Paris.....	Mar.	1, 1915
Pekin.....	Feb.	7, 1911
Princeton.....	Jan.	26, 1915
Rochelle.....	Jan.	10, 1911
Rock Falls.....	Jan.	2, 1915
Rock Island.....	Jan.	3, 1911
South Beloit.....	Jan.	16, 1917
Sparta.....	Feb.	21, 1919
Springfield.....	Jan.	2, 1911
Spring Valley.....	Feb.	14, 1911
Sterling.....	Jan.	2, 1915
Streator.....	Feb.	1, 1921
Tampico.....	Apr.	17, 1917
Waukegan.....	Feb.	14, 1911
Wheaton.....	Apr.	18, 1916











